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April 19, 2023

VIA ECF

Hon. Sarah Netburn, U.S.M.J.
United States District Court
Thurgood Marshall Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *Arthur Balder v. Susan Sarandon, et al*, Case No.: 1:22-cv-06401-JLR-SN

Hon. Judge Netburn:

We represent Defendants Susan Sarandon, Honey Shara, David Shara and Tigran Tsitoghdzyan (collectively, “Defendants”) in this action. This letter is submitted pursuant to I.B. and I.G. of your Honor’s Individual Practices rules and in response to your Honor’s order dated February 13, 2023 (the “Order”) [ECF Dkt. No. 69].

Defendants respectfully request an extension of time to file their reply in support of their motion to dismiss (“Defendants’ Motion”), currently due April 24, 2023. The reason for this request is that Defendants were not served with all of Plaintiff’s opposition papers, until April 14, 2023, several days after the April 10, 2023, deadline pursuant to the Order. Defendants received Plaintiff’s notice of opposition on April 11, 2023, Plaintiff’s declaration on April 12, 2023, and finally, Plaintiff’s memo of law on April 13, 2023. True and correct copies of the ECF confirmation emails for each document are collectively attached hereto as **Exhibit A**. We have been advised by Mr. Balder and the *pro se* intake office that this was due to an unknown error with the *pro se* intake office, which caused a delay in the papers being sent via ECF, which was the only method of service utilized here.

Defendants should not be prejudiced in their time to reply as a result of this error. As such, Defendants respectfully request an extension to file the reply from April 24, 2023, to May 1, 2023. While this is slightly longer than the delay caused by the intake office, an extension for the same amount of time that the opposition papers were delayed would result in the reply being due to April 27, 2023, which is a day I am out of the office for pre-planned travel. As such, we respectfully request that the reply be due on May 1, 2023.

This is the first request for an extension for Defendants to file the reply. Defendants’ counsel reached out to Plaintiff yesterday to see if he would consent to the extension. As of the time of filing, Plaintiff has not yet responded.

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We greatly appreciate your Honor's time and consideration in this matter.

Respectfully Submitted,

ADELMAN MATZ P.C.

A handwritten signature in black ink, appearing to read "Barry M. Golden".

Barry M. Golden, Esq.

Cc: Arthur Balder (via ECF pursuant to Court Authorization)